

32-183

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNIVERSAL CITY STUDIOS, INC.,

Plaintiff,

-against-

NINTENDO CO. LTD. and
NINTENDO OF AMERICA, INC.,

Defendants.
-----X

82 Civ. 4259
(RWS)

: PLAINTIFF'S SUPPLEMENTAL
: RESPONSES TO THE FIRST SET
: OF INTERROGATORIES AND FIRST
: REQUEST FOR PRODUCTION BY
: DEFENDANT NINTENDO OF
: AMERICA, INC.

Pursuant to Fed. R. Civ. P. 26(e), plaintiff Universal City Studios, Inc. ("Universal") by its attorneys, Townley & Updike, supplements its responses to the First Set of Interrogatories and Request for Production by defendant Nintendo of America, Inc. as follows:

Interrogatory No. 3

State whether any applications have been filed by Universal or its licensees for trademark or service mark registration in connection with the name, character or story of King Kong. If so, identify the date of the applications, the products registered, and the disposition of the application. Identify all documents that refer or relate to such applications.

Supplemental Response to Interrogatory No. 3

Universal has obtained an assignment of Mego Corp.'s trademark registration from RKO General, Inc. A copy of the assignment is contained in Document Folder 3. Moreover,

merchandising activities of Merchandising Corporation of America, Inc.

Interrogatory No. 7

Identify all licensees of the name, character, or story of King Kong. With respect to each license identify:

- (a) the licensing agreement, the licensor, the date of the licensing agreement, and the licensee's last known address;
- (b) the product or service with which the name, character or story of King Kong is associated;
- (c) when and for how long the licensee marketed the product or service to which the name, character or story of King Kong was associated;
- (d) the area in which the product or service was marketed and a description of how the product or service was sold; and
- (e) the revenues derived from each license.

Supplemental Response to Interrogatory No. 7

Additional licensees of Universal are:

1. Atari Incorporated, the licensor being Universal;
and
2. Robert Keith & Co., the licensor being Merchandising Corporation of America, Inc.

Further, Merchandising Corporation of America plans to enter into a licensing agreement with National (H.K.) Electronics & Watch Corporation.

Copies of the licensing agreements and documents relating to the above licenses are contained in Document Folder 7.

Interrogatory No. 10

State whether Tiger has manufactured any product using